

REMARKS

This Amendment and Reply is intended to be completely responsive to the Final Office Action mailed December 1, 2010. Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow. Claims 38, 44 and 61 have been amended. No new matter has been added. Accordingly, Claims 38-62 will remain pending in the present Application upon entry of this Amendment and Reply.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claim Rejections - 35 U.S.C. § 102

On pages 2-5 of the Detailed Action, the Examiner rejected Claims 61 and 62 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,618,485 to Gajewski (“Gajewski”). This rejection should be withdrawn because Gajewski fails to disclose, teach or suggest the claimed invention.

For example, independent Claim 61 recites a “method of making a molded article” comprising, among other elements, “providing a mold having a first mold section, a second mold section, a first shut off member and a second shut-off member, the first mold section providing an A-surface of the molded article . . . the A-surface being a surface of the molded article that is configured to be visible to a vehicle occupant.”

In rejecting independent Claim 61, the Examiner alleged that Gajewski teaches a method of making a molded article that comprises providing a mold that forms an A-surface of the molded article. In response to Applicants’ previous argument that the molded article in the instrument panel disclosed in Gajewski does not define an A-surface because it gets covered by a “foamed material 16” and a “skin shell 14” (col. 4, lines 27-39, Figures 1 and 2), the Examiner stated that there is no requirement in the claims requiring that the A-surface be visible to the vehicle occupant. In response, Applicants have amended independent Claim 61 to clarify that

that the A-surface is a “surface of the molded article that is configured to be visible to a vehicle occupant.” Gajewski does not disclose, teach or suggest such a molded article.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claim 61 because at least one element of such claim is not disclosed, taught or suggested by Gajewski. Claim 62, as it depends from independent Claim 61, is allowable therewith for at least the reasons set forth above, without regard to the further patentable subject matter set forth in such claim. Reconsideration and withdrawal of this rejection of Claims 61 and 62 is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

On pages 5-17 of the Detailed Action, the Examiner rejected Claims 38-60 under 35 U.S.C. § 103(a) as being unpatentable over Gajewski in view of U.S. Patent No. 7,060,215 to Schoemann et al. (“Schoemann et al.”). This rejection should be withdrawn because Gajewski, whether taken alone or in any proper combination with Schoemann et al., fails to disclose, teach or suggest the claimed inventions.

For example, independent Claim 38 recites a “method of making a molded article” comprising, among other elements, “providing a mold having a first mold section, a second mold section, and a shut-off member, the first mold section providing an A-surface of the molded article . . . the A-surface being a surface of the molded article that is configured to be visible to a vehicle occupant . . . the shut-off member comprising . . . an angled surface that extends entirely between [a] forward surface and [a] first side surface . . . and forming an angled recess in the A-surface of the molded article having an upper surface provided by [an] angled surface of the shut-off member, wherein the upper surface is provided at a sufficiently flat angle relative to vertical by the angled surface of the shut-off member to obscure an interface between the first resin and the second resin from an occupant of the vehicle interior, wherein the A-surface of the molded article is defined by [a] first resin, [a] second resin and an interface between the first resin and the second resin that includes the angled recess.”

Also, independent Claim 44 recites a “method of making a molded article” comprising, among other elements, “providing a mold having a first mold section, a second mold section, a first shut off member and a second shut-off member, the first mold section providing an A-surface of the molded article, the second mold section providing a B-surface of the molded article, the A-surface being a surface of the molded article that is configured to be visible to a vehicle component, the shut-off members are disposed within the second mold section . . . wherein the A-surface of the molded article is defined by [a] first resin, [a] second resin, [a] third resin, an interface between the first resin and the second resin, and an interface between the first resin and the third resin.”

Gajewski, whether taken alone or in any proper combination with Schoemann et al., fails to disclose, teach or suggest such methods. First, with regard to both independent Claims 38 and 44, and as set forth above, Gajewski does not teach a method of making a molded article that comprises providing a mold that forms an A-surface of the molded article. Similar to independent Claim 61, independent Claims 38 and 44 have been amended to clarify that the A-surface is a surface that is configured to be visible to a vehicle occupant. The mold disclosed in Gajewski does not provide such a surface. In contrast, the article formed by the mold in Gajewski is a component of an “instrument panel 10” (specifically, an “insert 12” and a “door 24”) that gets covered by a “foamed material 16” and a “skin shell 14” (col. 4, lines 27-39, Figures 1 and 2). It is the outer surface of the “skin shell 14” that forms the A-surface of the “instrument panel 10,” and not a surface of the molded article, as required by independent Claims 38 and 44. As such, Gajewski is not pertinent to the problem that the inventors were trying to solve in the present Application, which was to provide a molded article that does not require a secondary finishing operation (e.g., masking, painting and/or covering with an outer skin). As such, a person having the ordinary skill in the art would not have looked to combine Gajewski with Schoemann et al. in the manner suggested by the Examiner.

Also, with specific regard to independent Claim 38, Gajewski, whether taken alone or in any proper combination with Schoemann et al., does not disclose, teach or suggest a method of

making a molded article that comprises providing a shut-off member having an angled surface that extends between a forward surface and a first side surface of the shut-off member. In response to Applicants' previous argument on this issue, the Examiner stated that Applicants' claim only requires that the shut-off member have an angled surface that extends between the forward surface and the first side surface – there is no requirement that the angled surface run along the entire length of the forward surface. In response, Applicants have amended independent Claim 38 to clarify that the angled surface extends entirely between the forward surface and the first side surface. Neither Gajewski nor Schoemann et al. does not disclose, teach or suggest the use of such an angled surface. As stated in the previous Amendment and Reply, Gajewski (i.e., the reference that the Examiner is relying on for allegedly teaching this subject matter) discloses a “blade 48” having an “angled wall 70” that extends between a “side wall 66” and a “subwall 68” rather than extending between the “side wall 66” and a “top wall 62” (col. 5, lines 62-67, Figure 5). To extend the “angled wall 70” between the “side wall 66” the “top wall 62,” rather than between the “side wall 66” and the “subwall 68,” would not have been obvious to one skilled in the art because, to do so, would likely destroy a primary function of the “angled wall 70” of Gajewski, which is to create a “hinged connection 26” for the “door 24.”

With further regard to independent Claim 38, Gajewski, whether taken alone or in any proper combination with Schoemann et al., does not disclose, teach or suggest a method of making a molded article that comprises forming an angled recess in the molded article. In response to Applicants' previous arguments on this issue, the Examiner noted that part 26 of figure 2 of Gajewski shows an interface (angled region) formed by a retractable member and alleged that such an interface will form an angled surface which can hide the transition point between the two resin materials. In response, Applicants have amended independent Claim 38 to further clarify that the angled recess is not simply present during an intermediate step of the method, but that the angled recess is present in the final product and is visible to a vehicle occupant as being part of the A-surface. While the part 26 shown in figure 2 of Gajewski does have an angled surface, angled surface does not form an angled recess that is part of an A-surface

of the molded article. The presence of an angled surface does not make it inherent that there must necessarily be an angled recess in the A-surface that is associated with the upper surface. For example, in Gajewski, (and similarly in Schoemann et al.) no recess is provided (in an A-surface of the molded article) at the transition between the “insert 12” and the “door 24” (see Figure 11) even though the “blade 48” has an angled surface. Instead, the upper surface of the molded article in Gajewski (which is not even an A-surface) is substantially continuous or uniform without any recess being provided therein.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claims 38 and 44 because the combination of Gajewski and Schoemann et al., as suggested by the Examiner, is improper. Further with regard to independent Claim 38, Applicants respectfully request withdrawal of the rejection because Gajewski, whether taken alone or in any proper combination with Schoemann et al., fails to disclose, teach or suggest at least one element of independent Claim 38. Claims 39-43, which depend from independent Claim 38 and Claims 45-60, which depend from independent Claim 44, are allowable therewith for at least the same reasons set forth above without regard to the further patentable subject matter recited in such claims. Reconsideration and withdrawal of the rejection of Claims 38-60 under 35 U.S.C. § 103(a) is respectfully requested.

* * *

Applicants respectfully submit that each and every pending rejection has been overcome, and that the present Application is in a condition for allowance. In particular, even when the elements of Applicants’ claims, as discussed above, are given a broad construction and interpreted to cover equivalents, the cited references do not teach, disclose, or suggest the claimed subject matter. Favorable reconsideration of the Application is respectfully requested.

Further, Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present Application and should not be considered when evaluating any other patent or patent

application including any patents or patent applications which claim priority to this patent application and/or any patents or patent applications to which priority is claimed by this patent application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

The Examiner is encouraged to contact the undersigned by telephone if the Examiner believes that another telephone interview would advance the prosecution of the present Application. Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 3/1/2011

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